

MARKED-UP COPY OF THE SPECIFICATION

Please replace the paragraph found at page 19, before line 4 with the following:

In Figure 4 a second embodiment of a cargo closure 1 comprising a permanently closeable tie 2 and a data carrying member 3 is shown, moulded from a suitable polymetric material. Insert into and running through a strap of the tie 2 is a strip 100 38 of a conducting material. Another strip 39 of conducting material is also incorporated into a base member 21 so that when a free end of the strap is passed through a hole in the base member 21 and tightened the two conducting strips 100 38, 39 connect. A conducting pathway is thus formed.

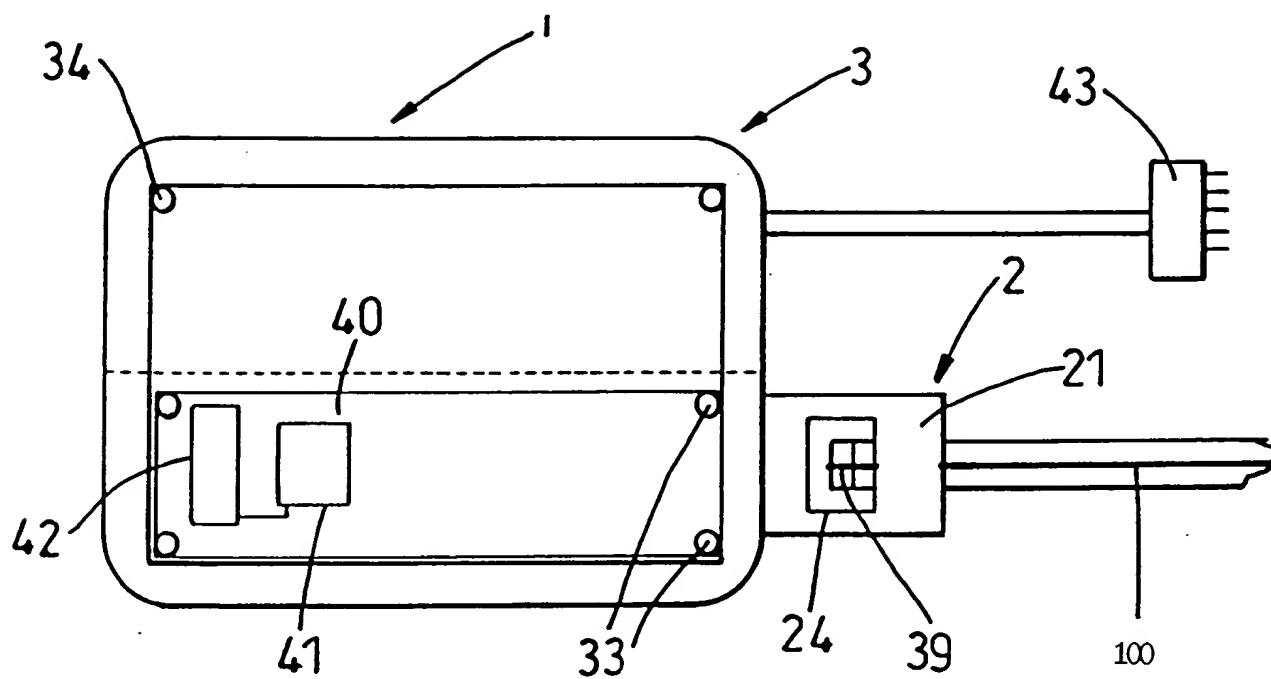


Fig. 4

REMARKS

Claims 1-9, 11-20, 34 and 35 are currently pending in this application. Of these, claims 1, 16, 19, and 34 are independent claims. In the Office Action dated November 18, 2002, the information contained in the Information Disclosure Statement filed May 4, 2000 was not considered. In addition, the drawings were objected to because a reference numeral designated two different portions. Further, the specification was objected to because of certain informalities. Claims 1, 2, 10, and 16 were also objected to because of certain informalities. Claims 1, 10, 14, 19, and 20 were rejected under 35 U.S.C. § 102 (b) as being anticipated by United States Patent No. 5,560,657 to Morgan. Claims 2-7 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Morgan in view of United States Patent No. 4,001,919 to Moberg et al. Claim 8 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Morgan, as modified by Moberg et al, in view of United States Patent No. 5,524,945 to Georgopoulos et al. Claims 9 and 15 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Morgan in view of Georgopoulos et al. Claims 11, 12, and 16-18 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Morgan in view of United States Patent No. 3,352,040 to Javkin. Claim 13 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Morgan, as modified by Javkin, in view of Japanese Patent No. 10-13313 A to Teranishi et al. Claims 34 and 35 have been rejected under 35 U.S.C. § 103 (a) as being unpatentable over Morgan in view of United States Patent No. 4,187,628 to Thompson.

Information Disclosure Statement

A supplemental Information Disclosure Statement has been enclosed herewith. Copies of all prior art disclosed in the Information Disclosure Statement has also been enclosed.

Drawings

Applicant has amended FIG. 4 so that each reference numeral designates a single part. As originally filed, reference numeral 38 designated both the "LOGO" in FIG. 2 and a "strip" in FIG. 4. As amended, reference numeral 38 now designates the "LOGO" in FIG. 2 and reference numeral 100 designates to a "strip" in FIG. 4. A copy of the amended drawing is enclosed herewith. No new matter has been added in making this amendment.

Specification

Applicant has amended the specification so that each reference numeral designates a single part. Specifically, reference numeral 38 now refers to the "LOGO" in FIG. 2 and reference numeral 100 refers to a "strip" in FIG. 4. A copy of the replacement paragraphs marked up to show changes made relative to the immediate prior version. No new matter has been added in making this amendment.

Claim Objections

Applicant has amended the claims as suggested in the Office Action. Applicant received this suggestion with appreciation. No new matter has been added in making these amendments.

Claim Rejections

Claims 1, 10, 14, 19 and 20 were rejected to as being anticipated by Morgan.

Claim 1 has now been amended to relate to a cargo closure having a tie and a data carrying portion which incorporates a median zone of weakness about which the tie is foldable.

Applicant believes that amended claim 1 is patentable over Morgan which teaches providing a sheet of tear-resistant paper material (see, for example, claim 1 or the description from Col. 1, line 56). While Morgan recites a 'fold-line', the material described is such that

there is no need for a zone of weakness to aid folding. Indeed, the tag of Morgan could be folded about any axis on its area.

The structure of the cargo closure disclosed in the present application is significantly more robust. The median zone of weakness allows the closure to be constructed of a more substantial material (plastic, in the preferred embodiment). This has the advantages in that it will be easier for the less dextrous user to utilize, it will not be subject to creasing or crumpling as a paper tag may be and will be less likely to suffer damage in transit. Further, it may be easier for baggage handlers to spot, both to identify the cargo and in the unlikely event that it becomes detached from the cargo.

Claim 10 is deleted.

Applicant believes that as claim 1 is patentable over Morgan, claim 14, which depends from claim 1, is also patentable.

Claim 19 is amended in a similar fashion as claim 1 and is now, for the reasons given above, believed to patentable over Morgan.

Claim 20, as it is dependent on amended claim 19, is now believed to be patentable.

Claims 2-7 were rejected as being unpatentable over Morgan in view of Moberg. Applicant believes that, as claim 1 is patentable over Morgan, claims 2-7, which depend from claim 1, are also patentable.

Further, Applicant submits that Moberg does not disclose a zone of weakness on the stem as is required by claims 2, 3 and 4. Claim 2 requires that the stem to be insertable into an opening to form a tie. While Moberg does disclose a zone of weakness provided by the "traverse slot" 30, this zone is not on the stem.

Claim 8 was rejected as being unpatentable over Morgan in view of Moberg and further in view of Georgopolous. Applicant believes that, as claim 1 as amended is patentable, claim 8, which depends from claim 1, is also patentable.

Further, Applicant believes that Georgopolous relates specifically to security seals for coin bags. Morgan relates to tagging in general and Moberg to bags such as post bags, both of which could be categorized as cargo items, the field of the present invention. Coin bags would not generally be categorized as such and therefore the applicant submits that it is inappropriate to consider this alongside Morgan and Moberg when considering the present invention.

Claims 1 and 15 were rejected as being unpatentable over Morgan in view of Georgopolous. Applicant believes that as claim 1 is patentable, this rejection is no longer valid. Further, for the reasons given above Applicant believes that it is inappropriate to consider Georgopolous alongside Morgan in examination of the present application.

Claims 11, 12 and 16-18 were rejected in view of Morgan and further in view of Javkins. As claim 1 is amended and believed to be patentable, the rejections to claims 11 and 12, which depend from claim 1, are no longer thought valid.

Further, claim 16 has been amended in a similar fashion to claim 1, thereby distinguishing the present application from Morgan. Claims 17 and 18 depend from claim 16, and are thus patentable.

Claim 13 was rejected as being unpatentable over Morgan in view of Javkins and further in view of Teranishi. As claim 13 is dependent on claim 1, now amended to be patentable over Morgan, this rejection is no longer valid.

Further, Applicant submits that Teranishi relates to the labeling of bulk goods. As such, it is inappropriate to combine this with the teaching of a document that relates to luggage labeling.

Finally, claims 34 and 35 were rejected as being unpatentable over Morgan in view of Thompson. Claim 34 has been amended in a manner similar to claim 1 and is now considered to be patentable over Morgan. Thereby the rejections to claim 34 and dependent claim 35 are no longer valid.

No new matter has been added in making the above claim amendments.

Conclusion

In view of the amendments and remarks presented herein, it is respectfully submitted that claims 1-9, 11-20, 34 and 35 are in condition for allowance and reconsideration of same and prompt notice of allowance the pending claims is respectfully requested. Applicant submits that no new matter has been added to the application by the present amendments and requests that the Examiner telephone the undersigned in the event a telephone discussion would be helpful in advancing the prosecution of the present application, particularly before the issuance of a final rejection.

Respectfully submitted,

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